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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

JENNIFER PURCELL,  
Individually and On Behalf of All  
Others Similarly Situated,

Plaintiff,

v.

SPOKEO, INC.,

Defendant.

Case No. CV-10-03978 HRL

~~PROPOSED~~ **ORDER RE  
JOINT STIPULATION TO  
MODIFY SCHEDULING**


[Re: Docket No. 38]

1 Pursuant to stipulation submitted by the parties through their undersigned  
2 counsel, and GOOD CAUSE APPEARING thereof, the Court HEREBY ORDERS  
3 as follows:

- 4 1. Plaintiff will file her opposition brief to the Motion to Dismiss 30 days  
5 following the Court's ruling on the Motion to Dismiss or Transfer Venue,  
6 if this case is not dismissed or transferred, and if Plaintiff does not file an  
7 amended complaint;
- 8 2. Defendant Spokeo will file its reply brief 30 days following the filing of  
9 Plaintiff's opposition brief;
- 10 3. That briefing and hearing dates previously scheduled by the Court with  
11 respect to the pending Motion to Dismiss are stricken; and
- 12 4. The current hearing date on the Motion to Dismiss scheduled for June 14,  
13 2011 at 10:00 a.m. is vacated and reset to September 27, 2011, 10:00 a.m. .  
14

15  
16 **IT IS SO ORDERED.**

17 Dated: May 27, 2011

  
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Honorable Howard R. Lloyd  
Magistrate Judge, United States District Court